



4910-06-P

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

**[Docket Number FRA-2020-0069]**

### **Petition for Waiver of Compliance**

Under part 211 of Title 49 Code of Federal Regulations (CFR), this document provides the public notice that on August 19, 2020, OmniTRAX Inc., on behalf of the Illinois Railway, LLC (IR), petitioned the Federal Railroad Administration (FRA) for a waiver of compliance from certain provisions of the Federal railroad safety regulations contained at 49 CFR part 229, Railroad Locomotive Safety Standards. FRA assigned the petition Docket Number FRA-2020-0069.

Specifically, OmniTRAX seeks relief from 49 CFR 229.23(a), *Periodic inspections*, which requires periodic inspections be made where adequate facilities are available, and at each periodic inspection, a locomotive must be positioned so that a person may safely inspect the entire underneath portion of the locomotive. OmniTRAX contends that although two of IR's three operational sections do not have access to a shop or pit, all tests have been performed within the required time periods through other means to thoroughly and safely inspect the underneath portion of locomotives.

A copy of the petition, as well as any written communications concerning the petition, is available for review online at [www.regulations.gov](https://www.regulations.gov).

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing.

If any interested parties desire an opportunity for oral comment and a public hearing, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number and may be submitted by any of the following methods:

- Web site: <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Fax: 202-493-2251.
- Mail: Docket Operations Facility, U.S. Department of Transportation (DOT), 1200 New Jersey Ave., SE, W12-140, Washington, DC 20590.
- Hand Delivery: 1200 New Jersey Ave., SE, Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

Communications received by **[INSERT DATE 30 DAYS FROM DATE OF PUBLICATION OF THIS NOTICE]** will be considered by FRA before final action is taken. Comments received after that date will be considered if practicable.

Anyone can search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the comment (or signing the document, if submitted on behalf of an association, business, labor union, etc.). Under 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its processes. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov), as described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at

<https://www.transportation.gov/privacy>. See also

<https://www.regulations.gov/privacyNotice> for the privacy notice of [regulations.gov](https://www.regulations.gov).

Issued in Washington, DC.

**John Karl Alexy,**  
*Associate Administrator for Railroad Safety,*  
*Chief Safety Officer.*

[FR Doc. 2020-19271 Filed: 8/31/2020 8:45 am; Publication Date: 9/1/2020]